

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
V.)	DOCKET NO. 12-CR-10313
PEDRO JOSE LOPEZ)	
)	

DEFENDANT'S MOTIONS FOR A JUDGEMENT OF ACQUITTAL PURSUANT TO
FEDERAL RULE OF CRIMINAL PROCEDURE 29

The Defendant Pedro Jose Lopez now moves this Court for a judgment of acquittal on all counts, under Federal Rule of Criminal Procedure 29. The Defendant timely moved under Federal Rule of Criminal Procedure 29(a) for a judgment of acquittal before the charges were submitted to the jury. The Defendant now renews his motion pursuant to Federal Rule of Criminal Procedure 29(c).

Federal Rule of Criminal Procedure 29(a) requires the Court to grant a judgment of acquittal "of any offense for which the evidence is insufficient to sustain a conviction." Fed. R. Crim. Pro. 29(a). The standard for evaluating a Rule 29 motion is whether viewing all of the evidence in the light most favorable to the government, any rational jury could find the defendant guilty beyond a reasonable doubt. Jackson v. Virginia, 443 U.S. 307, 319 (1979).

The evidence as presented by the United States is insufficient, as a matter of both fact and law, to sustain convictions on the charges against the defendant. Since the government has failed to prove each element beyond a reasonable doubt, the defendant asserts that the motion should be allowed.

Denied
Wey. DJ
October 23, 2013